

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**Kate Spade LLC and Coach Services, Inc.,**  
Plaintiffs,

v.

**Vinci Brands LLC, ACS Group Acquisitions  
LLC, Onward Brands LLC, Charles Tebele,  
and Sam “Sonny” Haddad,**

Defendants.

**ACS Group Acquisition LLC, individually  
and as Successor-In-Interest by Assignment  
to Monroe Capital Management LLC**

Third-Party Plaintiff and  
Counterclaimant,

v.

**Kate Spade LLC and Coach Services, Inc.**

Counterclaim Defendants,

and

**Case-Mate, Inc.**

Third-Party Defendant.

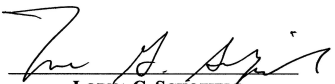
Civil Action No.: 1:23-cv-05409-LGS VF

**MOTION FOR LEAVE TO FILE  
THIRD AMENDED COMPLAINT AND  
JURY DEMAND**

The motions at Dkt. 175 in Case No. 23 Civ. 5409 and Dkt. 207 in Case No. 23 Civ. 5138 are **DENIED** without prejudice to renewal if KSNY's motion for leave to file a third amended complaint is denied.

The Clerk of Court is respectfully directed to close the motions at Dkt. 175 in Case No. 23 Civ. 5409 and Dkt. 207 in Case No. 23 Civ. 5138. So Ordered.

Dated: June 28, 2024  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

**PLEASE TAKE NOTICE** that, pursuant to Federal Rules of Civil Procedure 15(a)(2) and 21, and upon all prior pleadings, proceedings, and filings in this action, Kate Spade LLC and Coach Services, Inc. (collectively, “KSNY”), by and through their undersigned counsel, will move this Court before the Honorable Valerie F. Figueredo, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, on a date and time designated by the Court, for an Order granting KSNY leave to file a third amended complaint: (i) adding Onward Brands LLC, Charles Tebele, and Sam “Sonny” Haddad as defendants, (ii) bringing additional trademark infringement, unfair competition and false advertising, trademark dilution, and tortious interference claims, and (iii) updating KSNY’s existing claim for breach of contract against Vinci. Pursuant to Federal Rules of Civil Procedure 15(a)(2), KSNY requested

consent from ACS and Vinci to file this third amended complaint. ACS and Vinci did not consent.

**PLEASE TAKE FURTHER NOTICE** that the time to serve and file papers in opposition to and/or in further support of this motion shall be governed by Local Rule 6.1(b).

Dated: New York, New York  
June 18, 2024

**BRYAN CAVE LEIGHTON PAISNER LLP**

By: \_\_\_\_\_



Christine Cesare  
Bret Ruber  
Jane Ernst  
1290 Avenue of the Americas  
New York, NY 10104  
T: (212) 541-2000  
E: cbcesare@bclplaw.com  
E: bret.ruber@bclplaw.com  
E: jane.ernst@bclplaw.com

Timothy Beyer (*pro hac vice*)  
Adam Stern  
1700 Lincoln Street, Suite 4100  
Denver, CO 80203-4541  
T: (303) 866-0481  
E: tim.beyer@bclplaw.com  
E: adam.stern@bclplaw.com

Nicholas Bedo (*pro hac vice*)  
One Atlantic Center, 14th Floor  
1201 W. Peachtree Street, N.W.,  
Ste. 1400  
Atlanta, GA 30309  
T: (404) 572-6670  
E: nick.bedo@bclplaw.com

*Attorneys for Coach Services, Inc.  
and Kate Spade LLC*